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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,155	08/10/2001	Akira Sakaguchi	JP920000246US1	4066

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EXAMINER

DEBROW, JAMES J

ART UNIT PAPER NUMBER

2176

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/927,155

Applicant(s)

SAKAGUCHI ET AL.

Examiner

James J. Debrow

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Application filed on 17 Jan 2006.
2. Claims 1-20 are pending in this case. Claims 1, 6, 8, 11, 13, 16, 17, 18 and 19 are independent claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander (US 6,262,728 B1; Filing Date: Nov. 3, 1998) in view of Eintracht et al. (US 6,687,878 B1; Filing Date: Mar. 15, 1999) further in view of Stephen L. Nelson ("Office 97 for Busy People"; Published 1997) 'Nelson'.**

With respect to independent claims 1, 6, 8, 11, 13, and 16-19, Alexander discloses a computer system for annotating a graphical user interface display. In his detailed description, Alexander uses the term "annotation label", which refers to a window that is displayed on a display with a graphical user interface and/or an operating system (column 9; lines 5-7), while the current inventor prefer to use the term "*annotation object*". Both concepts are identical. Alexander's computer system is comprised of a *display unit* (column 8, lines 7-8; 112 in Fig 1), preferably a liquid crystal display, for displaying the application window/annotating application; a Label Control Unit (*window shaping unit*), which provides the operator the capability of determining the shape, size, appearance, and location/position of the annotation object/window (column 2, lines 51-54; column 10, lines 45-50; 204 in Fig 2) within the application window or the

graphical user interface display. While Alexander use a Label Control Unit to perform these multiple operations (shape, size, appearance, and location/position) on the annotated object/window, the current inventor uses separate units/modules for each operation (*window shaping unit and location selector*); dialog boxes/display windows (*object selector*) are used to select an annotation object that is additionally written in (column 2, lines 52-53; column 9, lines 30-33; column 11, lines 9-12). Newly created annotation labels (annotated windows/objects) are located at the location of the cursor. If this cause an overlay of annotation labels at the same location, the newly created labels are displayed in a cascaded fashion (column 17, lines 5-11). With this disclosure, it would be inherent that the annotated object would be displayed in a window having a *TOPMOST attribute*; computer program methods/*sub-routines* (program instructions) for processing/performing different tasks required for creating, modifying, locating, positioning, and displaying the annotation object/window. These software routines are usually stored in memory, and/or disk storage devices, or any other *computer readable medium* such as a compact disc or magnetic tape. Using any of these mediums, the software sub-routines (program instructions) may be loaded into the computer system (column 8; lines 45-49; 117 in Fig 1; 350 in Fig 3B; 352 in Fig 3B; 354 in Fig 3B). In the current invention claims, the computer system *stores the annotation object formed without dependence on an application that constructed said application window*. Alexander discloses that his invention is not limited to a particular computer platform, operating system, processor, or high level programming language (column 8, lines 57-61). With this disclose, it would be inherent that Alexander's invention also executes

independently of the application that constructed the application window within computer system.

Alexander does not disclose expressly *transmitting to said plurality of interconnected hosts a request event for sharing of said annotation object, so that said annotation object can be shared by said plurality of hosts.*

However, Eintracht et al discloses a system that provides collaborative document annotation by remote users (*interconnected host*), whereby notes or annotations associated with a document are stored on a web server (column 2, lines 8-11). *Clients/hosts* are able to create, store, edit, and retrieve annotations related to specific documents located on the server. When annotations are posted to the server, the database is synchronized such that other clients (*interconnected host*) can retrieve the current up-to-date annotations (column 2, lines 59-61). Once the user synchronizes the database with his/her changes, the server transmits back an acknowledgement along with any new notes that other clients may have posted since the last synchronization was performed (column 2, lines 44-45). Eintracht's system also has an option whereas the server can be adapted to trigger one or more alarms in response to a change being made in the database. Those clients that wish to be notified in the event of a database change (*a request event for sharing of said annotation object*) at the server can be notified by visual indications, audio, and/or email (column2, lines 63-67).

Alexander in view Eintracht et al. of does not disclose expressly *said annotation object comprises an animated annotation object.*

However, Nelson discloses Microsoft Word displays an Office Assistant (Mr. Paperclip), which is an animated annotation object that appears over the Word program window (*TOPMOST attribute*) (pages 33-35).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Eintracht's teaching of collaborating annotated documents with Alexander's teaching of annotating a graphical interface display, for the benefit of a host computer/client being able to collaborate with other clients within the same network to share annotations, modifications, updates, or provide various information within an application remotely. Furthermore, it would have been obvious to a person of ordinary skill in the art to combine Nelson with Alexander in view Eintracht et al. for the benefit of the annotation object comprising an animated annotation object.

With respect to dependent claims 2, 10, 14, and 15, these claims incorporate substantially similar subject matter as claimed in claims 6,13, and 18. They are rejected along the same rationale.

With respect to dependent claims 3 and 9, Alexander discloses that the annotation label (annotation object) may be rendered in one of three background transparency styles: opaque, inverted, and *transparent* (column 19, lines 9-11). Transparent results in blank regions on the annotated label being rendered, such that the underlying data is visible through the annotated label (annotation object) (column 19, lines 14-17). The operator is also provided a menu item to select whether the

annotated label (annotated object) is to be outlined. This outline is a border that is drawn around the annotated label rectangle (column 19, lines 26-28; 920 in Fig 9), which stores the annotated object.

With respect to dependent claim 4, Alexander discloses the annotation system generates a move label (annotation object) command to the Control Label Unit to change the location of the annotated label (annotation object) from the default location if there is a position conflict (column 16, lines 57-61). It is also possible to position the annotated label (annotation object) by positioning the cursor over a desired annotation label and graphically move it to a desired location within the display region (column 16, line 67; column 17, lines 1-2; column 17, lines 42-44).

With respect to dependent claim 5, Alexander does not disclose expressly *steps of receiving from said plurality of interconnected hosts images displayed in said application window when said images displayed on the desktop by the said plurality of host differ.*

However, Eintracht et al teaches when updates are posted to the server, the database is synchronized such that other clients can retrieve the current up-to-date annotations (column 2, lines 59-61). After the user synchronizes the database, the server transmits back an acknowledgement along with any new notes that other clients may have posted since the last synchronization was performed (column 2, lines 44-45).

At the time of the invention, it would have been obvious to a person skilled in the art to combine Eintracht et al with Alexander for the benefit of ensuring that all clients within the network will display the same/most current display image for each annotated object, whether the object is displayed on the desktop or within the application window.

With respect to dependent claims 7 and 12, Alexander discloses that a rectangle limit command (*region function*) that provides the dimensions of the display region in which the annotated label (annotated object) may be positioned (column 17, lines 54-56; 226 in Fig 3A; 802A in Fig 8). The Limit Rectangle Logic Unit stores these values and forwards them to each Label Control Unit in rectangle limits commands (column 23, lines 2-4).

With respect to dependent claim 20, Alexander in view of Eintracht et al. does not disclose expressly *the annotation method according to claim 1, wherein said animated annotation object is constructed using an animated graphics interchange format or an animated applet.*

However, Nelson discloses the Microsoft Clip Gallery, which allows the user to scroll through a list of images that can be inserted in the object placeholder (annotation object) (pages 81-84).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to combine Nelson with Alexander in view Eintracht et al. for the

benefit of the annotation object comprising an animated annotation object. constructed using an animated graphics interchange format.

Response to Arguments

5. Applicant's arguments filed 1/17/2006 have been fully considered but they are not persuasive.

Applicant's arguments with respect to independent claims 1, 6, 8, 11, 13 and 16-19, along with their respective dependent claims, have been considered but are moot in view of the new ground(s) of rejection. New ground(s) of rejection are based on newly found prior art reference of Nelson. An explanation of the rejection is given.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

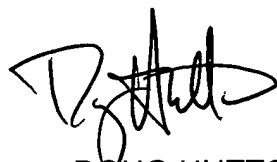
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAMES DEBROW
EXAMINER
ART UNIT 2176

A handwritten signature in black ink, appearing to read 'Doug Hutton', with a stylized, cursive script.

DOUG HUTTON
PRIMARY EXAMINER
TECH CENTER 2100